

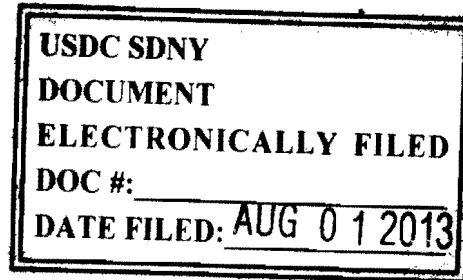
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August 1, 2013



Hon. Katherine B. Forrest
United States District Court
Southern District of New York
500 Pearl Street, Room 730
New York, New York 10007
ForrestNYSDChambers@nysd.uscourts.gov

Re: Gary Friedrich Enterprises LLC v. Marvel Enterprises Inc., No. 08-cv-01533 (KBF)(JCF)

Dear Judge Forrest:

We represent Defendants Marvel Entertainment, LLC, *et al.* in the above-referenced matter. We write jointly with Plaintiffs to advise the Court that the parties have scheduled a mediation in the above-captioned matter for August 27, 2013.

The parties have been working diligently to prepare for the scheduled November 4, 2013 trial date. In light of the mediation, however, and in order to help with the progress of this matter and hopefully achieve a resolution, the parties respectfully request that the Court postpone trial in this matter. Specifically, if the Court is willing to postpone this action, the parties respectfully request that the Court set a new trial date for this matter in early December 2013 or as soon thereafter as possible (so long as it is not later than January 20, 2014) and extend all existing deadlines by the same number of days as the trial is moved forward. This would include extending out the date for Plaintiffs' opposition to the Defendants Motion to Strike the Phase I Jury Demand (which is currently due today, August 1, 2013, and the Defendants' reply to the same).

If the trial can be rescheduled for early December 2013, we would propose the following new deadline dates:

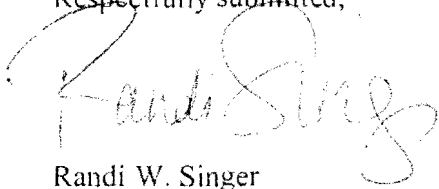
- September 9, 2013: deadline for Plaintiffs' opposition to the Motion to Strike;
- September 9, 2013: deadline for Defendants' opposition to Plaintiffs' Motion *In Limine* to Strike Affirmative Defenses;
- November 22, 2013: deadline for Motions *In Limine*;
- November 26, 2013: deadline for the Joint PreTrial Order; and
- A final pre-trial conference at the Court's convenience.

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We are available at the Court's convenience to answer any questions or if the Court wishes to discuss further.

Respectfully submitted,



Randi W. Singer

cc: Counsel of Record

Ordered

Applications as to dates
and submissions granted.

Trial adjourned to
12/16/13. The parties
shall submit a status
letter not later than 9/16/13.

8/1/13

K B. Forrest
usdj